

PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

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(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 16958-1PCT	FOR FURTHER ACTION See Form PCT/IPEA/416	
International application No. PCT/CA2005/000031	International filing date (<i>day/month/year</i>) 12 January 2005 (12-01-2005)	Priority date (<i>day/month/year</i>) 24 February 2004 (24-02-2004)
International Patent Classification (IPC) or national classification and IPC IPC: B65D 85/816 (2006.01) , B65D 81/34 (2006.01) , B65D 47/36 (2006.01) , A47J 31/44 (2006.01)		
Applicant INTEGRAL INFUSION INC. ET AL		
1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36. 2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet. 3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>5</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. 1 and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions). 4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input checked="" type="checkbox"/> Box No. VIII Certain observations on the international application		
Date of submission of the demand 09 December 2005 (09-12-2005)	Date of completion of this report 31 May 2006 (31-05-2006)	
Name and mailing address of the IPEA/CA Canadian Intellectual Property Office Place du Portage I, C114 - 1st Floor, Box PCT 50 Victoria Street Gatineau, Quebec K1A 0C9 Facsimile No.: 001(819)953-2476	Authorized officer Tanya Hanham (819) 953-4506	

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

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Box No. I Basis of the report

1. With regard to the **language**, this report is based on:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of:
 - ☐ international search (Rules 12.3(a) and 23.1(b))
 - ☐ publication of the international application (Rule 12.4(a))
 - ☐ international preliminary examination (Rules 55.2(a) and/or 55.3(a))
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
 - ☐ the international application as originally filed/furnished
 - ☒ the description:
 - ☒ pages 1 - 13 _____ as originally filed/furnished
 - ☐ pages* _____ received by this Authority on _____
 - ☐ pages* _____ received by this Authority on _____
 - ☒ the claims:
 - ☐ pages _____ as originally filed/furnished
 - ☒ pages* 14-18 _____ as amended (together with any statement) under Article 19
 - ☐ pages* _____ received by this Authority on _____
 - ☐ pages* _____ received by this Authority on _____
 - ☒ the drawings:
 - ☒ pages 1/9 - 9/9 _____ as originally filed/furnished
 - ☐ pages* _____ received by this Authority on _____
 - ☐ pages* _____ received by this Authority on _____
 - ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
 - ☐ the description, pages
 - ☐ the claims, Nos.
 - ☐ the drawings, sheets/figs
 - ☐ the sequence listing (*specify*):
 - ☐ any table(s) related to sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>1 - 33</u>	YES
	Claims	<u>NONE</u>	NO
Inventive step (IS)	Claims	<u>1 - 33</u>	YES
	Claims	<u>NONE</u>	NO
Industrial applicability (IA)	Claims	<u>1 - 33</u>	YES
	Claims	<u>NONE</u>	NO

2. Citations and explanations (Rule 70.7)

D1: CA2399290 A1 (BEAULIEU, R. et al.) 23 August 2001 (23-08-2001)

Novelty (N)

Claims 1 - 33 are novel and do comply with **PCT Article 33(2)**. D1 discloses a disposable single serve beverage filter cartridge, the cartridge comprising a container (12) for providing a liquid mixture comprising a container member defining a charge holding space (B), the charge holding space being opened (24) for allowing to withdraw liquid mixture, a steeping device having a housing defining a steeping chamber (A), the steeping chamber having a impermeable lid (16) and an outlet aperture (14) adapted to allow the fluid introduced in the steeping chamber to flow into the charge holding space. The subject matter of the claims differs from the prior art because it contains a one-way flow control member which is made of a material such as silicone which resumes its sealing properties after insertion of a thin object such as a needle. In contrast, the impermeable lid of the prior art is made of a material which does not resume its sealing properties and consequently would leak after perforation.

Inventive Step (IS)

Claims 1 - 33 comply with **PCT Article 33(3)**. The subject matter of these claims is considered to involve an inventive step since, having regard to the prior art, its is not obvious to a person skilled in the art.

Industrial Applicability (IA)

The subject matter of the claims is considered to be industrially applicable and thus fulfills the requirements of **PCT Article 33(4)**.

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Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

The description does not comply with PCT Article 5. A statement in an application, such as found on page 1 which incorporates by reference any other document, does not fully describe the invention. The description shall be complete in and on itself. A person skilled in the art should be able to understand the patent specification without reference to any other document.

AMENDED CLAIMS

[received by the International Bureau on 14 July 2005 (14.07.05);
original claims 1 to 33 replaced by new claims 1 to 33 (5 pages)]

WHAT IS CLAIMED IS:

1. A container for providing a liquid mixture, the container comprising: a container member defining a charge holding space adapted to contain a fluid mixture, the charge holding space being opened for allowing to withdraw the liquid mixture, and a steeping device having a housing defining a steeping chamber therein, the steeping device having a one-way flow control member allowing the introduction of a fluid in the steeping chamber without allowing leakages of the introduced fluid, the steeping device having an outlet aperture adapted for allowing the fluid introduced in the steeping chamber to flow into the charge holding space.
2. A container as claimed in claim 1, wherein the one-way flow control member includes an inlet membrane.
3. A container as claimed in claim 2, wherein the inlet membrane includes a silicone membrane.
4. A container as claimed in any one of claims 2 and 3, wherein the steeping device comprises an inlet aperture in fluid communication with the steeping chamber, the inlet aperture being covered by the inlet membrane.
5. A container as claimed in any one of claims 2 to 4, wherein the inlet membrane is mounted to the housing.
6. A container as claimed in claim 5, comprising a support member adapted for mounting the inlet membrane to the housing.
7. A container as claimed in any one of claims 1 to 6, comprising an outlet membrane covering the outlet aperture and allowing the introduced fluid to flow into the charge holding space when the steeping chamber is filled.

8. A container as claimed in claim 7, wherein the outlet membrane includes one of a silicone membrane and a laminated film membrane sealingly mounted to the steeping device.
9. A container as claimed in any one of claims 1 to 8, wherein the container member comprises lateral walls with a lower portion and the steeping device is mounted to the lower portion of the lateral walls.
10. A container as claimed in claim 9, wherein the steeping device comprises an engaging member adapted to engage the lower portion of the lateral walls.
11. A container as claimed in any one of claims 1 to 10, wherein the steeping device comprises a filter paper disposed in the steeping chamber.
12. A container as claimed in any one of claims 1 to 11, wherein the steeping chamber is adapted to contain a steeping material therein.
13. A steeping device for providing a liquid mixture, comprising:
 - a housing defining a steeping chamber adapted to contain a steeping material therein and the housing having an outlet aperture allowing the withdrawal of a fluid introduced into the steeping chamber; and
 - a one-way flow control member allowing the introduction of the fluid into the steeping chamber while preventing the introduced fluid to flow out from the steeping chamber therethrough.
14. A steeping device as claimed in claim 13, comprising an outlet membrane covering the outlet aperture and allowing the introduced fluid to flow outside the steeping chamber when the steeping chamber is filled.
15. A steeping device as claimed in claim 14, wherein the outlet membrane includes one of a silicone membrane and a laminated film membrane sealingly mounted to the steeping device.

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16. A steeping device as claimed in any one of claims 13 to 15, comprises an engaging member adapted to engage a container member to mount the steeping device thereto.
17. A steeping device as claimed in any one of claims 13 to 16, wherein the one-way flow control member includes an inlet membrane.
18. A steeping device as claimed in claim 17, wherein the inlet membrane includes a silicone membrane.
19. A steeping device as claimed in any one of claims 17 to 18, wherein the steeping device comprises an inlet aperture in fluid communication with the steeping chamber, the inlet aperture being covered by the inlet membrane.
20. A steeping device as claimed in any one of claims 17 to 19, wherein the inlet membrane is mounted to the housing.
21. A steeping device as claimed in claim 20, comprising a support member adapted for mounting the inlet membrane to the housing.
22. A steeping device as claimed in any one of claims 13 to 21, wherein the steeping device comprises a filter paper disposed in the steeping chamber.
23. A steeping device in combination with a container adapted to contain a liquid therein, the steeping device comprising:
 - a housing defining a steeping chamber adapted to contain a steeping material and having an inlet aperture and an outlet aperture adapted to be in fluid communication with the steeping chamber, the housing being securable to the container, the outlet aperture being in fluid communication with the container when the steeping device is mounted thereto; and
 - an inlet membrane covering the inlet aperture, the inlet membrane allowing the introduction of a fluid into the steeping chamber and

preventing the introduced fluid from leaking outside the steeping chamber through the inlet aperture; and

the container comprising an aperture allowing the withdrawal of the liquid from the container.

24. A combination as claimed in claim 23, comprising an outlet membrane covering the outlet aperture and allowing the introduced fluid to flow into the container when the steeping chamber is filled.
25. A combination as claimed in claim 24, wherein the outlet membrane includes one of a silicone membrane and a laminated film membrane sealingly mounted to the steeping device.
26. A combination as claimed in any one of claims 23 to 25, wherein the container comprises a lower portion and the steeping device is mounted to the lower portion of the container.
27. A combination as claimed in claim 26, wherein the steeping device comprises an engaging member adapted to engage the lower portion of the container member.
28. A combination as claimed in any one of claims 23 to 27, wherein the inlet membrane includes a silicone membrane.
29. A combination as claimed in any one of claims 23 to 28, wherein the inlet membrane is pre-pierced.
30. A combination as claimed in any one of claims 23 to 29, wherein the inlet membrane is mounted to the housing.
31. A combination as claimed in claim 30, comprising a support member adapted for mounting the inlet membrane to the steeping device.
32. A combination as claimed in any one of claims 23 to 31, wherein the steeping device comprises a filter paper disposed in the steeping chamber.

33. A combination as claimed in any one of claims 23 to 32, wherein the steeping chamber is adapted to contain a steeping material therein.